MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY

Unit	ed States District Court	District					
Vame	(under which you were convicted):			t or Case No.:			
Place	of Confinement:		Prisoner I	No.:	[o.:		
JNIT	ED STATES OF AMERICA	V.	Movant (include name under which convicted)				
		MOTION					
1.	(a) Name and location of court which	entered the judgment	of conviction yo	ou are challer	nging:		
	(b) Criminal docket or case number (i	if you know):					
2.	(a) Date of the judgment of conviction(b) Date of sentencing:						
3.	Length of sentence:						
4.	Nature of crime (all counts):						
5.	(a) What was your plea? (Check one) (1) Not guilty □) (2) Guilty □	(3)	Nolo conten	dere (no contest)		
	(b) If you entered a guilty plea to one what did you plead guilty to and what			plea to anoth	er count or		
6.	If you went to trial, what kind of trial	did you have? (Chec	k one)	Jury □	Judge only □		
7.	Did you testify at a pretrial hearing, to	rial, or post-trial heari	ng? Yes [No □		
8.	Did you appeal from the judgment of	conviction? Y	es 🗆	No □			

a) Name of court: b) Docket or case number (if you know): c) Result: d) Date of result (if you know): e) Citation to the case (if you know): f) Grounds raised: g) Did you file a petition for certiorari in the United States Supreme Court? Yes No If "Yes," answer the following: (1) Docket or case number (if you know):							
b) Docket or case number (if you know): c) Result: d) Date of result (if you know): e) Citation to the case (if you know): f) Grounds raised: g) Did you file a petition for certiorari in the United States Supreme Court? Yes No Inf "Yes," answer the following:							
d) Date of result (if you know): e) Citation to the case (if you know): f) Grounds raised: g) Did you file a petition for certiorari in the United States Supreme Court? Yes No If "Yes," answer the following:							
d) Date of result (if you know): e) Citation to the case (if you know): f) Grounds raised: g) Did you file a petition for certiorari in the United States Supreme Court? Yes No If "Yes," answer the following:							
g) Did you file a petition for certiorari in the United States Supreme Court? Yes No							
g) Did you file a petition for certiorari in the United States Supreme Court? Yes \Box No \Box If "Yes," answer the following:							
If "Yes," answer the following:							
If "Yes," answer the following:							
If "Yes," answer the following:							
If "Yes," answer the following:							
If "Yes," answer the following:							
If "Yes," answer the following:							
If "Yes," answer the following:							
-							
(1) Docket or case number (if you know):							
(2) Result:							
(3) Date of result (if you know):							
(4) Citation to the case (if you know):							
(5) Grounds raised:							
Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications, concerning this judgment of conviction in any court? Yes No No							
f your answer to Question 10 was "Yes," give the following information:							
(a) (1) Name of court:							
(2) Docket or case number (if you know):							
(3) Date of filing (if you know):							
(4) Nature of the proceeding:							

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6) Did you receive a hearing where evidence was given on your motion, petition, or application?
Yes □ No □
7) Result:
8) Date of result (if you know):
f you filed any second motion, petition, or application, give the same information:
1) Name of court:
2) Docket of case number (if you know):
3) Date of filing (if you know):
4) Nature of the proceeding:
5) Grounds raised:
6) Did you receive a hearing where evidence was given on your motion, petition, or application?
Yes □ No □
7) Result:
8) Date of result (if you know):
Did you appeal to a federal appellate court having jurisdiction over the action taken on your motion, peti
plication?
1) First petition: Yes □ No □
2) Second petition: Yes \square No \square
f you did not appeal from the action on any motion, petition, or application, explain briefly why you did

12. For this motion, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

()	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
(h)	Direct Appeal of Ground One:					
(0)	(1) If you appealed from the judgment of conviction, did you raise this issue?					
	Yes □ No □					
	(2) If you did not raise this issue in your direct appeal, explain why:					
(c)	Post-Conviction Proceedings:					
	(1) Did you raise this issue in any post-conviction motion, petition, or application?					
	Yes □ No □					
	(2) If you answer to Question (c)(1) is "Yes," state:					
	Type of motion or petition:					
	Name and location of the court where the motion or petition was filed:					
	Docket or case number (if you know):					
	Date of the court's decision:					
	Result (attach a copy of the court's opinion or order, if available):					
	(2) Dil					
	(3) Did you receive a hearing on your motion, petition, or application?					
	Yes No					

AO 243 (Rev. 01/15) Page 6 (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed: Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: **GROUND TWO:** (a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): (b) Direct Appeal of Ground Two: (1) If you appealed from the judgment of conviction, did you raise this issue? Yes \square No □ (2) If you did not raise this issue in your direct appeal, explain why: (c) **Post-Conviction Proceedings:** (1) Did you raise this issue in any post-conviction motion, petition, or application? Yes □ No 🗆

AO 243 (Rev. 01/15) Page 7 (2) If you answer to Question (c)(1) is "Yes," state: Type of motion or petition: Name and location of the court where the motion or petition was filed: Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes □ № П (4) Did you appeal from the denial of your motion, petition, or application? Yes □ № П (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes □ № П (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed: Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

GROUND THREE: (a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

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b)		ect Appeal of Ground Three:			
	(1)	If you appealed from the judgment of conviction, did you raise this issue?			
	(2)	Yes No No			
	(2)	If you did not raise this issue in your direct appeal, explain why:			
c)	Post	t-Conviction Proceedings:			
/		Did you raise this issue in any post-conviction motion, petition, or application?			
	` /	Yes □ No □			
	(2)	If you answer to Question (c)(1) is "Yes," state:			
		e of motion or petition:			
	Name and location of the court where the motion or petition was filed:				
	Date	ket or case number (if you know): e of the court's decision: ult (attach a copy of the court's opinion or order if available):			
	Date				
	Date Resu	e of the court's decision: ult (attach a copy of the court's opinion or order, if available):			
	Date Resu	e of the court's decision: alt (attach a copy of the court's opinion or order, if available): Did you receive a hearing on your motion, petition, or application?			
	Resu (3)	Did you receive a hearing on your motion, petition, or application? Yes No No			
	Date Resu	Did you receive a hearing on your motion, petition, or application? Yes No Did you appeal from the denial of your motion, petition, or application?			
	(3)	Did you receive a hearing on your motion, petition, or application? Yes \Box \Box \No \Box \Box \Box \Rightarrow			
	(3)	Did you receive a hearing on your motion, petition, or application? Yes No Did you appeal from the denial of your motion, petition, or application?			
	(3) (4) (5)	Did you receive a hearing on your motion, petition, or application? Yes \Box \Box No \Box \Box \Box No \Box \Box \Box No \Box \Box \Box No \Box \Box \Box \Box \Box \Box \Box \Bo			
	(3) (4) (5)	Did you receive a hearing on your motion, petition, or application? Yes No Did you appeal from the denial of your motion, petition, or application? Yes No No Test No			
	(3) (4) (5) (6) Nam	Did you receive a hearing on your motion, petition, or application? Yes			
	(3) (4) (5) Nam Doci	Did you receive a hearing on your motion, petition, or application? Yes			

AO 243 (Rev. 01/15) Page 9 (7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this **GROUND FOUR:** (a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): (b) Direct Appeal of Ground Four: (1) If you appealed from the judgment of conviction, did you raise this issue? Yes \square No 🗆 (2) If you did not raise this issue in your direct appeal, explain why: (c) **Post-Conviction Proceedings:** (1) Did you raise this issue in any post-conviction motion, petition, or application? Yes □ No □ (2) If you answer to Question (c)(1) is "Yes," state: Type of motion or petition: Name and location of the court where the motion or petition was filed: Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available):

AO 243 (Rev. 01/15) Page 10 (3) Did you receive a hearing on your motion, petition, or application? (4) Did you appeal from the denial of your motion, petition, or application? Yes \square № П (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes \square No □ (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed: Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: 13. Is there any ground in this motion that you have <u>not</u> previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them: Do you have any motion, petition, or appeal <u>now pending</u> (filed and not decided yet) in any court for the you are challenging? Yes \square No 🗆 If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

•	are challenging:
(a)	At the preliminary hearing:
(b)	At the arraignment and plea:
(c)	At the trial:
(d)	At sentencing:
(e)	On appeal:
(f)	In any post-conviction proceeding:
(g)	On appeal from any ruling against you in a post-conviction proceeding:
	you have any future sentence to serve after you complete the sentence for the judgment that you are
	you have any future sentence to serve after you complete the sentence for the judgment that you are llenging? Yes \(\subsetential \) No \(\subsetential \) If so, give name and location of court that imposed the other sentence you will serve in the future:
(a)	llenging? Yes □ No □
(a) (b)	llenging? Yes □ No □ If so, give name and location of court that imposed the other sentence you will serve in the future:
(a) (b) (c) (d)	Illenging? Yes \(\sum \) No \(\sum \) If so, give name and location of court that imposed the other sentence you will serve in the future: Give the date the other sentence was imposed: Give the length of the other sentence:
(a) (b) (c) (d) TIM	Illenging? Yes \(\sum \) No \(\sum \) If so, give name and location of court that imposed the other sentence you will serve in the future: Give the date the other sentence was imposed: Give the length of the other sentence: Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment of the tence to be served in the future? Yes \(\sum \) No \(\sum \)
(a) (b) (c) (d) TIM	Illenging? Yes \(\square\) No \(\square\) If so, give name and location of court that imposed the other sentence you will serve in the future: Give the date the other sentence was imposed: Give the length of the other sentence: Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment of tence to be served in the future? Yes \(\square\) No \(\square\)
(a) (b) (c) (d) sent	Illenging? Yes \(\square\) No \(\square\) If so, give name and location of court that imposed the other sentence you will serve in the future: Give the date the other sentence was imposed: Give the length of the other sentence: Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment of tence to be served in the future? Yes \(\square\) No \(\square\)
(a) (b) (c) (d) sent	Illenging? Yes \(\square\) No \(\square\) If so, give name and location of court that imposed the other sentence you will serve in the future: Give the date the other sentence was imposed: Give the length of the other sentence: Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment of tence to be served in the future? Yes \(\square\) No \(\square\)

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of –

- (1) the date on which the judgment of conviction became final;
- (2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;
- (3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

^{*} The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

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Therefore, movant asks that the Court grant the following relief:		
or any other relief to which movant may be entitled.		
	Signature of Attorney (if any)	
	<i>y</i> \ <i>y</i> \ <i>y</i>	
I declare (or certify, verify, or state) under penalty of perjury that under 28 U.S.C. § 2255 was placed in the prison mailing system of		tion .
	(month, date, year)	
Executed (signed) on	(date)	
	_ ` ′	
	Signature of Movant	
If the person signing is not movant, state relationship to movant a	nd explain why movant is not signing this motion	1.